

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

IN RE: ETHICON, INC. PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION	Master File No. 2:12-MD-02327 MDL No. 2327
THIS DOCUMENT RELATES ONLY TO ALL WAVE 8 AND SUBSEQUENT WAVE CASES AND PLAINTIFFS:	JOSEPH R. GOODWIN U.S. DISTRICT JUDGE

**DEFENDANTS’ OBJECTIONS AND RESPONSES TO PLAINTIFFS’
“NOTICE TO TAKE DEPOSITION OF DEBRA FROMER, M.D.”**

Defendants Ethicon, Inc. and Johnson & Johnson (collectively, “Defendants”) hereby respond and object to Plaintiffs’ “Notice to Take Deposition of Debra Fromer, M.D.” (the “Notice”) and “Schedule A” to the same.

The responses and objections contained herein are made without in any way waiving or intending to waive—but on the contrary reserving and intending to reserve—the right at any time to revise, supplement, correct, or add to these objections and responses. Defendants note that no documents have been withheld from production on the basis of the objections set forth in this Response unless expressly stated.

**SPECIFIC OBJECTIONS AND RESPONSES TO REQUESTS TO PRODUCE –
“SCHEDULE A”**

1. A complete copy of deponent’s current curriculum vitae.

RESPONSE: Defendants state that Dr. Fromer’s CV was provided to Plaintiff with his expert report in this matter.

2. Any and all documents, specifically consulting agreements, as well as time sheets, invoices, payments, time records, billing records which record or document the work

performed, emails, time spent or charges made in connection with consulting related to studies, consulting work, cadaver labs, professional education training and any other work that has been compensated by defendants related to any female pelvic mesh product sold by Ethicon, Inc. for treatment of stress urinary incontinence or pelvic organ prolapse.

RESPONSE: Defendants object to this Request as overly broad and not relevant to any party's claim or defense and/or not proportional to the needs of the case. Defendants further object to the extent this Request seeks documents or information protected by the attorney work product doctrine and/or outside the scope of expert discovery permitted by the Federal Rules of Civil Procedure. Defendants state that a copy of Dr. Fromer's invoices for this matter has been or will be provided.

3. Any and all documents, including time sheets, invoices, time records, billing records which record or document the work performed, time spent or charges made in connection with your expert opinions in this matter.

RESPONSE: Defendants object to this Request as overly broad. Defendants state that a copy of Dr. Fromer's invoices for this matter has been or will be provided.

4. All correspondence, memoranda, emails and/or any other documentation reflecting communications (including written, electronic and/or oral) with any employees of Defendants related to any female pelvic mesh product sold by Ethicon, Inc. for treatment of stress urinary incontinence or pelvic organ prolapsed before you were retained as an expert in this matter.

RESPONSE: Defendants object to this Request as overly broad, vague, ambiguous, and not relevant to any party's claim or defense and/or not proportional to the needs of the case. Defendants further object to the extent this Request seeks documents or information protected by the attorney work product doctrine and/or outside the scope of expert discovery permitted by the Federal Rules of Civil Procedure. Defendants also object to this Request on the grounds that it seeks the production of documents relating to pelvic mesh products that were not used by the Plaintiff and are not at issue in this case. To the extent there are responsive, properly

discoverable, non-privileged documents that are reasonably available, they have been or will be provided.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, William M. Gage, certify that on September 19, 2018, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

William M. Gage